

Amendment No. 1 to HB1939

Ramsey
Signature of Sponsor

AMEND Senate Bill No. 2000*

House Bill No. 1939

by deleting all the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 63-1-301, is amended by deleting subdivisions (1) - (6) and by substituting instead the following:

(1) "Advanced practice nurse" means any person licensed under chapter 7 of this title, who meets the requirements of § 63-7-126;

(2) "Chronic non-malignant pain treatment" means prescribing or dispensing opioids, benzodiazepines, barbiturates or carisoprodol for ninety (90) days or more in a twelve (12) month period for pain unrelated to cancer or palliative care;

(3) "Department" means the department of health;

(4) "Medical doctor" means any person licensed under chapter 6 of this title;

(5) "Osteopathic physician" means any person licensed under chapter 9 of this title;

(6)

(A) "Pain management clinic" means a privately-owned clinic, facility or office in which any health care provider licensed under this title provides chronic non-malignant pain treatment to a majority of its patients for ninety (90) days or more in a twelve (12) month period. For purposes of determining if a clinic, facility, or office qualifies as a pain management clinic under this subdivision (6)(A), the entire clinic, facility, or office

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caseload of patients who received medical care services from all medical doctors, osteopathic physicians, advanced practice nurses and physician assistants who serve in the clinic, facility or office shall be counted;

(B) "Pain management clinic" also means a privately owned clinic, facility or office which advertises in any medium for pain management services of any type. A pain management clinic shall not include any clinic, facility, or office which provides interventional pain management as defined in § 63-6-244 and whose clinic, facility or office does not provide chronic non-malignant pain treatment to a majority of the patients of a clinic, facility or office for ninety (90) days or more in a twelve-month period;

(C) "Pain management clinic" does not mean a clinic, facility or office that is wholly owned and operated by a physician multispecialty practice in which one or more board-eligible or board-certified medical specialists who have also completed fellowships in pain medicine approved by the Accreditation Council for Graduate Medical Education, or who are also board-certified in pain medicine by the American Board of Pain Medicine or a board approved by the American Board of Medical Specialties, the American Association of Physician Specialists, or the American Osteopathic Association perform the pain management services for chronic pain patients; and

(7) "Physician assistant" means any person licensed under chapter 19 of this title.

SECTION 2. Tennessee Code Annotated, Section 63-1-303(c)(1)(B), is amended by deleting the subdivision and by substituting instead the following:

(B) That providers conduct urine drug screening in accordance with a written drug screening compliance plan as required by rules promulgated by the commissioner of health pursuant to subsection (b);

SECTION 3. This act shall take effect July 1, 2014, the public welfare requiring it.